

People v. Walker, 488 N.E.2d 529 (Ill. 1985)

[evidence of victim's good character error, but not plain error]; See also *Wiley v. State*, 484 So.2d 339 (Miss. 1986).

State v. Rushing, 464 So.2d 268 (La. 1985)

[error, but harmless, and invited by defense, for prosecution witnesses to testify death sentence appropriate (cop, V. friend and relative)];

Trawick v. State, 473 So.2d 1235 (Fla. 1985)

[lack of remorse and victim's impact testimony improper];

Jackson v. State, 498 So.2d 906 (Fla. 1986)

[error to consider victim's lifestyle, character, community standing];

Floyd v. State, 497 So.2d 1211 (Fla. 1986)

[victim's daughter's opposition to death penalty was a non-statutory MC];

State v. Hope, 508 N.E.2d 202 (Ill. 1986)

[evidence and argument regarding victim's family life requires reversal];

State v. Patrick, 345 S.E.2d 481 (S.C. 1986)

[error to introduce autopsy pictures in penalty phase]; See also *Berry v. State*, 718 S.W.2d 447 (Ark. 1986).

Booth v. Maryland, 107 S.Ct. 2529 (1987)

[victim's impact statements unconstitutional]; See also *Hunt v. State*, ___ Md. ___ (1988); *Harris v. State*, 539 A.2d 637 (Md. 1988)

Jones v. State, 738 P.2d 525 (Okla. Cr. 1987)

[two gruesome photos with "minimal probative value" inadmissible; victim's rights argument "reprehensible"];

Moore v. Kemp, 809 F.2d 702 (11th Cir. 1987) (*en banc*)

[testimony of victim's father regarding victim's character not proper rebuttal];

Parker v. State, 731 S.W.2d 756 (Ark. 1987)

[photos of victim while alive inadmissible];

State v. Gathers, 369 S.E.2d 140 (S.C. 1988)

[injection of victim's personal characteristics]; See *South Carolina v. Gathers*, 109 S.Ct. 2207 (1989) [prosecutor's closing argument violates *Booth*].

4. Mitigation

Buchrem v. State, 355 So.2d 111 (Fla. 1978)(dicta); *McCampbell v. State*, 421 So.2d 1072 (Fla. 1982)(dicta) [employment background is mitigating]; *Fead v. State*, 512 So.2d 176 (Fla. 1987) [hard worker, good employee];

Lockett v. Ohio, 438 U.S. 586 (1978)

[young age, role as accomplice must be considered as mitigating; Ohio's statute unconstitutional];

Shue v. State, 366 So.2d 387 (Fla. 1978)(dicta); *Perry v. State*, 395 So.2d 170 (Fla. 1981)(dicta); *Scott v. State*, 411 So.2d 866 (Fla. 1982)(dicta)

[family background is mitigating]; See *Eddings v. Oklahoma*, 455 U.S. 104 (1982).

State v. Goad, 707 S.W.2d 846 (Tenn. 1986)
[PTSS admissible in mitigation];

Crawford v. McCotter, ____ F.Supp. ____ (N.D.Tex. 1987)
[exclusion of non-testifying co-defendant's 2nd confession was error]; See *Green v. Georgia*, 442 U.S. 95 (1979). See also *Erwin v. State*, 729 S.W.2d 709 (Tex.Cr.App. 1987) [refusal to enforce subpoena];

Dutton v. Brown, 812 F.2d 593 (10th Cir. 1987) (en banc)
[exclusion of "mom's" testimony due to violation of sequestration rule violates *Lockett*];

Hitchcock v. Dugger, 107 S.Ct. 1821 (1987)
[can't argue (or instruct jury) not to consider non-statutory mitigation]; See also *Magill v. Dugger*, 824 F.2d 879 (11th Cir. 1987); *Hargrave v. Dugger*, 832 F.2d 1528 (11th Cir. 1987) (en banc); *Armstrong v. Dugger*, 833 F.2d 1430 (11th Cir. 1987); *Messer v. Florida*, 834 F.2d 890 (11th Cir. 1987); *Stone v. Dugger*, 837 F.2d 1477 (11th Cir. 1988); *Harvard v. State*, 486 So.2d 537 (Fla. 1986); *Thomas v. Dugger*, 507 So.2d 123 (Fla. 1987); *McCrae v. State*, 510 So.2d 874 (Fla. 1987); *Thompson v. Dugger*, 515 So.2d 173 (Fla. 1987); *Morgan v. State*, 515 So.2d 975 (Fla. 1987); *Riley v. Wainwright*, 517 So.2d 656 (Fla. 1987); *Foster v. State*, 518 So.2d 901 (Fla. 1988)

State v. Weiland, 505 So.2d 702 (La. 1987)
[victim's provocative statement admissible under *Lockett*];

Burch v. State, 522 So.2d 810 (Fla. 1988)
[judge override of life recommendation improper in light of evidence of all three mitigators];

Brown v. State, Fla., 526 So.2d. 903 (1988)
[judge override of life recommendation improper in light of evidence of defendant's youth, mental and emotional handicaps, and impoverished youth];

Cooper v. Dugger, Fla., 526 So.2d 900 (1988)
[testimony about defendant's prior employment, efforts at rehabilitation, relationship with co-defendant and co-defendant's reputation for violence should have been admitted; *Hitchcock* error in instructions and in trial judge sentencing to death failing to recognize non-statutory mitigators];

Duboise v. State, 520 So.2d 260 (Fla. 1988)
[judge override of unanimous life verdict improper due to numerous mitigators];

Holsworth v. State, 522 So.2d 348 (Fla. 1988)
[judge override of life recommendation improper due to numerous mitigators];

Jordan v. State, 518 So.2d 1186 (Miss. 1988)
[*Skipper* allows evidence of defendant's invention of alternative energy source in prison];

Knight v. Dugger, 863 F.2d 705 (11th Cir. 1988)
[*Hitchcock/Lockett* error of restricting consideration of non-mitigatory factors];

Mills v. Maryland, 108 S.Ct. 1860 (1988)
[substantial probability that jurors thought they were precluded from considering mitigation due to unanimity requirement];

Lucero v. State, 750 P.2d 1342 (1988)
[testimony by veteran's counselor about Vietnam trauma and likelihood of recidivism improperly excluded];

The defendant, Lee Moore, is charged in Specification No. One to Count No. Three with committing the offense of Aggravated Murder in Count No. Three for the purpose of escaping detection or apprehension or trial or punishment for another crime committed by him, to wit: Aggravated Robbery.

I have previously defined Aggravated Murder, Aggravated Robbery and Purpose.

If you find that the State proved beyond a reasonable doubt all the essential elements of the aggravated circumstance contained in Specification No. One to Count No. Three, your finding must be guilty as to Specification No. One to Count No. Three.

However, if you find that the State failed to prove any one of the essential elements of the aggravating circumstance contained in Specification No. One to Count No. Three, your finding must be not guilty as to Specification No. One to Count No. Three.

SPECIFICATION NO. TWO TO COUNT NO. THREE

(Aggravated Murder During Specific Felony)

The defendant, Lee Moore, is charged in Specification No. Two to Count No. Three with committing the Aggravated Murder of Melvin Olinger in Count No. Three, while the said Lee Moore, was committing, attempting to commit, or fleeing immediately after committing or attempting to commit the offense of

You will have 40 forms of verdict. You will return only 19 forms duly signed by all 12 jurors.

The question of what punishment, if any, follows a conviction in this case is of no concern of the jurors at this time. The question of punishment, then, is not to enter into your consideration or your deliberations on the guilt or innocence of the defendant.

This being a criminal case requires the concurrence of all members of the jury, so all 12 of the jurors, when they have all agreed, will sign the verdict on which they have agreed, on the blank lines indicated on the bottom. The Court will place these verdict forms in your possession, together with the exhibits.

When you go to the jury room, your first duty will be to choose a foreman or forelady, who acts just like a chairperson of a meeting. The foreman or forelady will retain possession of the verdict forms and the exhibits and return them to the courtroom. He or she sees that your deliberations are conducted in an orderly fashion, that everyone has an opportunity to participate in the discussions and deliberations; otherwise, his or her activity is the same as any other juror.

DOES COUNSEL HAVE ANYTHING TO SAY?

CONCLUSION

Now, ladies and gentlemen, when we started this case, you all rose and

ALTERNATE JUROR

To the alternate juror, I now say: you were selected to serve in the event some misfortune might occur to a member of the regular jury panel. Up to this point, fortunately, it has not been necessary for you to replace a member of the regular jury panel. Now that the regular panel is about to retire and commence deliberations on the issues of guilt or innocence, you are going to be taken to a separate room where you will remain while the regular jury panel is deliberating.

While you are awaiting the decision of the regular panel, you are not to discuss this case with anyone. Before any verdicts are read in open court, you will be given an opportunity to examine the same exhibits which the regular jury panel is permitted to consider in its deliberations.

Please keep in mind that your services in this case are not yet ended and may still be required. Therefore, all of the instructions which have been given to you since the commencement of this trial up to and including those given at this time must be carefully and completely obeyed.

MITIGATION

In absolute Control
No inhibition

? How get evidence to other - 2
" Statement - Pimrose

State v Green (1993)
LG on St 3 & 141

Chapman - Many alcohol - ingested caused her thinking to be less clear
+ impaired concentration & memory
In absolute Control - No inhibition

- IQ

- Review records - Shephard's to Dea. carabin

- State

Mother & father - Divorced - predivorce -
speech - impaired

Up bringing

Mother - threw out - drinking, Mary was
Father - elderly

U.S. SWORN STATEMENT

003396

Kennie
POTTER
631-3084

Locke v. White Cir.
438 U.S. 586, 609
629 9 Ch 3d 21, 38

✓

State v. Green

- ① - effecting alcohol + Marijuana
- can't think his best interest, impaired concentration

Personality disorder - dependency, avoidance, internal, often depressive mood states.

② nature + circumstances of the offense are not aggravating circumstances

- ③ Limited intelligence is other factor - mitigating factor, 2929.04(3)(7)
Other factors - different treatment accorded to Co-Def
- Remorse
- circumstances of upbringing
- alcoholism + drug addiction + influence
- limited intelligence

State v. Rogers

Belonged to

Duplication of Agg. Circumstances - if present circumstances, then they are not duplication - absent - restraint prolonged? Yes
enforcement is secret? Yes
movement prohibited? Yes

2929.04(3)(3) Dependent capacity + mitigating factor

State v. Penix

- As to Agg. Circumstances - if found to be principal offender - then principal + accessory is irrelevant
- Instruction only Quantity of Agg. Circumstances is correct

What is meant by Agg. Circumstances - supposed to outweigh mitigating factors

003397

State - Powell

As to right of Psychiatric - Defendant must show a reasonable possibility that an expert would aid in his defense, & that the need of expert testimony would result in a unfair trial.

Def. failed to show a reasonable possibility that his mental condition would be a significant factor in the guilt phase.

Punalty phase - "The" only guarantees a Def. the right to a psychiatric at the sentencing phase to oppose the given mental's psychiatric testimony.

State - Tyler

Testimony from WJ Victim as to death of Mary + 13 Children - while

Prosecutorial Misconduct

Case - included offense

State - Huerta

Victim impact evidence (e.g. statement of victim's parents in PSI) - impact on death penalty - relevant for sentencing.

ev. for family members to offer opinion on what appropriate sentence would be for def - i.e. death.

evidence at guilt phase as to effect of intoxication - not admissible

as this does not recognize Diminished Capacity,

BUT IS ADMISSIBLE in Mitigation Phase

Case - included offense

Robe-^{ts}

10/25/97

Still Family - swum
Father elderly - age 70 father -

Drinking - Mother - had enough threw her in jail
saying not late

Sole - says mother baby
only children Man - Older - small -

(16) Her Mary - Man threw out

IQ - Good
- Vo. Int 110 50%

Diagnosis
- Anti Social -

Pushed on By Indis speech impediment
called Mommy boy - Pushed up because mother - gen

Lee Cobb + beat up - 4 used Brass Nuke - Cobb beat up
- met door neighbor

CONJINLS
Couple Miles before - 4A jumped Swinton Commons
Beat up Dec '93 Selling Crack like
Sold before - Got in Co. before - w/2 Conains
Tuck \$, keys, necklace, shoes coat -> Pants + sweatshirt

Asked Mike - to come home
JOL, No Drinking, Not stay out
late at night

in her view there
 is no such thing as a description
 without control

Tasm's Gang leader
Cold - but w good 6 point finger

Carlyne and George
on Lee Col.

- EMMETT COOPER -

YOLKEN

✓ Looking signed and sealed

SCHWARTZ-Berufsh.

Anti Social - Juv

9/24 - 3/90 Mch

Charles

Smoking
Manufacture }

Self-right
Angel

003400

Milagrin Father & S
Family broke down

SLI-9433

Kenneth Cooper

003401

PHONE CALL	
FOR	DATE <u>10-14</u> TIME <u>9:00</u> A.M.
M	<u>Dr. Chiappard</u>
OF	
PHONE	<u>791 0600</u>
AREA	
CITY	
STATE	
ZIP	
MESSAGE	<u>Re: Lee Moore</u>
SIGNED	
TOPS FORM 4003	
PHONED	<input checked="" type="checkbox"/>
RETURNED	<input type="checkbox"/>
YOUR CALL	
PLEASE CALL	<input checked="" type="checkbox"/>
WILL CALL	
AGAIN	
CAME TO	
SEE YOU	
WANTS TO	
SEE YOU	

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1

Moore, Lee

POSSIBLE areas of concern: self esteem, depression

Psychological report by Terry Schwartz, Psy.D. — Conduct D/O — saw him approx. every week stated that Lee would not open up to him therefore he terminated.?????

School records Mt. Healthy — C's and D's and F's

withdrew in January 1993 - moving into the Woodward school district

withdrawal dated for my 1992 so Lee could work full time

expulsion in April 1991 9th grade

Initial Meeting with friends and family

POSITIVE

High amount of Family support

Feels close to his mother

Reported regular contact with father

Had positive peer influences

NEGATIVE

Family reports child "abused" by peers on the bus

picked on from the 5th grade on

Prior to moving in with Lee Moore Sr. - problems in school with truancy, low grades, poor peer relations, oppositional to his mother

Mother reported that she could not control Lee and sent him to live with his father at the age of 18, mother was the primary caretaker up to the point of moving in with his father (REJECTION BY MOTHER - NO ~~RE~~ DIVIDUATION)

Substance Abuse - both alcohol and marijuana - possibly beginning around the age of 15 or 16

Peer group engaged in sexual acting out

CRIMINAL Hx

1) assault on the bus with a set of brass knuckles - resulted from being attacked himself on the bus (?)

2) Stolen auto - probation

3) Trafficking or possession of marijuana approx. age 17

Lee Moore, Sr., Betty, Verdena (sister), Erik, (cousin)

(dad could not state child's birth date, had to ask wife. could not clearly recall the developmental milestones, did not give detailed history of Lee as a child while he was with the family) (Erik and Lee used to be close)

1. Dad received letter from Lee, (have copy)

2. Stated that Lee began school at age of 4 or

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a. went to a private school because Mom wanted him too
b. both parents worked through school years, had babysitters watch Lee while they at work

c. Lee failed either 3 or 4 grade (dad could not remember)

d. school was Central Baptist

e. Lee began at Mt. Healthy around the 3 or 4 grade because he had failed that greade and mom did not want to waste the money if he were not going to pass his classes. (dad seemed to isplay indifference to this, seemed to want to subtly blame mom for the school change) Central was expensive because it was private

f. seemed to recall that during the 5 and 6 grade Lee seemed to do ok.

3. Mom did most of the discipline - spanking with hand and sometimes with a belt

4. reported that Lee did drugs and alcohol around tha age of 17 or 18, felt that Lee was doing some selling also (Erik) Lee sucomed to peer pressure in this area because he wanted to be accepted - LEE DID NOT KNOW HOW TO ADEQUATELY MAKE FRIENDS NOR HOW TO DEAL WITH THE ACCEPTANCE OF THE FRIENDS HE DID MAKE - SOCIALLY AWKWARD (?)

5. (Erik) Lee knew that the lifestyle that he was leading was wrong, but he did it anyway

6. (Erik and Dad) Lee did not seem to see things realistically, nor did he stop to fully consider the consequences of his actions

7. (dad) at 18 applied to Job Corps but was not accepted because of his past criminal history

8. (dad) 17 caught using drugs, unclear of the exact charge initially, could have been trafficking, however, the final charge was either possesion or use

9. (Erik and dad) Lee mood was silly when he was high

10. (dad) when Lee angry he usually slammed doors and went off in a huff

11. (Erik) Lee's behavior seemed right in line with the rest of the group he seemed to be no different nor display any other type of negative behavior

12. (group) Lee was talkative, smart, seemed to have normal cildhood

13. AROUND THE AGE OF 17 BEHAVIOR DETERIORATED - Around this point in time Lee was jumped and this seemed to have an adverse effect on him

14. (Erik) Lee wanted money - always wanted the easy way - Lee probably never intended to use the gun - may have wanted to use the gun to scare - he probably scared and did not what to do - Lee always very panicky (nervous, jumpy) when he was scared (WHY WAS THE GUN LOADED THEN?)

15. (Erik) Lee always saw the worst or negative side of things, never saw that there was positive ways out or that there was help available

16. Lee has been robbed - jumped X2 - one time a gun wa held to his head and they threatened to kill him (was the last incident - Lee 19) took his gold chain, shoes and hooded sweatshirt - THE SAME THINGS THAT LEE PURCHASED WITH THE

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CREDIT CARDS!!

17. (Erik) Mt. healthy friends were the type who always wanted to be better or seem better than other people, however they were not into violence or negative things

18. (Erik) Lee always a big risk taker, never thought that he would get caught - always had things figured out so that he would not get into trouble

19. (Erik) the robbery part of the crime was probably pre-meditated - Lee liked nice cars, wanted one - Olinger had a nice car.

20. (Erik) prior to the robbery and murder, Lee and his friends had gone out for some time looking for possible robbery victims, unclear whether this was the planning stages or whether they were just having fun, they would talk and plan how to commit the robbery, however they never actually robbed anyone before Mr. Olinger

a. (Erik) BECAUSE LEE WAS ROBBED AT GUNPOINT AND IT HAD HIM SCARED AND WORKED ON HIM HE MAY HAVE THOUGHT THAT THIS WAS THE BEST AND QUICKEST WAY TO COMMIT THE ACT OF ROBBERY AND LEAVE SOMEONE VERY SCARED AND UNABLE TO DEFEND THEMSELVES

MARRIAGE OF LEE MOORE SR AND GEORGIA MOORE (ACCORDING TO LEE SR)

1. characterized as bad marriage - many arguments over money, cars, clothes

2. Georgia strong willed

3. no drugs in the marriage, some alcohol use dad claims recreational, no real alcohol abuse

4. Lee used to sneak the beer into the home however when he was finished he would leave the bottle out in the open to be discovered - used to sneak beer in frequently (drank 40 ozs. ?) Betty would yell at Lee when he brought the beer in the home, dad told him to drink it outside the home

5. divorced when Lee was 6

6. both parents worked - Georgia - 8 hrs/day

Lee sr. - building and remodeling about 12 hrs/day

- last year of marriage worked for city 8 hrs/day

7. babysitters took care of Lee

LIFE HX OF LEE SR.

1. Born in Birmingham Ala.

2. Moved to Cincinnati when a baby

3. Mother died when he 7

4. Siblings were left in Ala. with the grandparents

5. Mother may have had a slow death of cancer

6. Father sent Lee Sr. to live with his grandmother when he was 8 (1936)

7. Age 17 moved back to Cincinnati with his father - started working then

8. Siblings moved to Cincinnati about 2 years later

9. Age 18 enlisted in the army

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10. [described the south at the time as very bad - wouldn't say much more, did not give much detail]

11. married Betty, then met Georgia, left Betty to marry Georgia, then left Georgia to remarry Betty.

12. Divorced when Lee Jr. was 6

13. visitation was e.o. weekend and one month or so in the summer

14. Lee Sr. filed for divorce - reports that they had lost respect for each other

15. Betty and Lee: we gave Lee everything that he wanted when he was little

16. Betty: I used to help him with his homework and was a mother to him when he was here

17. Betty and Lee: Georgia may have felt threatened by Betty as a mother as they report that sometime after the divorce, Georgia called and told them that Lee did not need another mother

18. Betty: I THEN DID NOT DO ANYTHING FOR HIM WHEN HE CAME OVER OTHER THAN THE BASICS, FED HIM DID HIS LAUNDRY. I SHOWED HIM VERY LITTLE IF ANY AFFECTION OR SUPPORT AFTER THAT. THERE MAY OR MAY NOT HAVE BEEN ANY EMOTIONAL ATTACHMENT FORM LEE OR MYSELF AFTER THAT.

19. Betty and Lee: Lee was active a child, always on the move

20. Never remember Lee ever really talking about having any type of goal - like children usually do, ie doctor, fireman, police, etc.

21. Lee: ther were some father son times together [he could not recall these nor how often or intense they were]

22. Betty and Lee: Georgia as a mom;

a. she wanted Lee all to herself

b. she verly protective

c. sheltered him alot

d. when Lee was a child he was not aloud to leave the yard

e. she was alwyas very close and watching him

f. she spanked him or whipped him "upside his head" - even when he was older

g. Georgia would take Lee's paycheck when he was working and use the money as she saw fit for him ie to buy clothes etc. - instead of allowing him to make his own desicion about his money

h. Lee: {on why Lee had trouble holding a job} Lee may have felt why work, I'm not going to have a say in my money anyway

23. When Kee came to live with dad and Betty they allowed him t decizde what to do with his money - asid from charging him room and board {about \$100}

24. Georgia sent Lee to live with them because he was getting out of hand

Georgia Moore

[Black men are weak and they are not very masculine, Georgia wanted Lee Jr. to be his

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own man and not be like other black men or his father, she also did not want him blaming other people for the plight of the black community, she wanted him to be independent and successful!!!! - according to Georgia]

MARRIAGE OF LEE SR. AND GEORGIA

1. Married in 1966
2. Met in 1963 in a bar
3. Lee Sr. was married when they met, because of this she would not get involved, didn't see each other for about 2 years
3. {Georgia has been involved with a married man before
4. Georgia had been married once before
5. Lee Sr.:
 - a. he is a womanizer and he likes hanging out with the "boys"
 - b. she feels that he may be an alcoholic as she stated that he drank pretty much and pretty often - he drank every day - Scotch, 2 or 3 in the evening and that he seemed to hold his alcohol well - she reports that he used to stop at a bar every night on his way home from work
 - c. she reports that his family drank often also
 - d. claims that Lee Sr. brother died at the age of 48 of psirohsis of the liver
 - e. she feels that Lee Sr. in denial of the problem
 - f. she reports that for some period of time that Lee Sr. brother lived with the family [however this did not seem to be very important]
 - g. he always worked and he worked long hours
6. Reports that she and Lee Sr. had split up many times before that they were actually divorced - there was one other occasion when there had been a filing for divorce - never went through as she reports that they wanted to make the marriage work
7. She described herself as talkative and domesticated, she described Lee Sr. as quiet
8. [She reports that Lee Sr. was abusive in his behavior]
9. Lee Sr. not there as father for Lee
10. [referred to Betty several times as "that woman"]
11. Several "complaints" - they never took Lee for haircuts or such if she asked them to, Lee Sr. would not carry Lee on his insurance when she was unemployed
12. G wanted Lee to go to a private school - Central Baptist - Lee attended here until the 4th grade when he failed, she stated that she told Lee that she was not sending him back to Central because she could not afford to send him there if he was going to fail - WHY DID HE FAIL THE FOURTH GRADE=DIVORCE?
13. Lee Sr. paid child support and several extra things if Georgia asked him in such that she almost made him feel guilty, however the money always came through the court.
14. She reports that there were off and on breakups with Lee Sr. and when they did break up that Lee Sr. would take things out of the house, i.e. furniture which she

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would have to replace

15. 1971 Lee Sr. filed for divorce - G "swears" that she not know to this day why he filed for divorce, she reports that she wanted the marriage to work

16. She reports that Lee had several affairs. She also reported that they both saw other people during the times when they were seperated

a. Lee Sr. has other children: Lee Jr., a son from a an affair; and two daughters from a thrird marriage

HX OF GEORGIA MOORE

1. Mother was born in Mississippi, and Father born in Arkansas

a. father was adopted - his parents weren't very "good" - they kept him out of school, however he wanted to get ahead and make something of himself so he went to night school.

2. G born in Memphis in 1934 moved to Cinci when she around the age of 5

3. FATHER was a contractor he then opened a delicatessan, her mother ran the stroe and the children worke din the store, they were given a salary for working in the store

4. Ghas two sisters

5. As a child they went to church, Sunday school, evening youth groups

6. AS CHILD SHE HAD TO STAY IN THE YARD, THEY WERE NOT ALLWOED OUT OF THE YARD

7. Reports that her father was successful

8. She went ot Hughes HS, one sister went to a catholic school and her other sister went a third school, they wer allowed to go to whatever school they wanted as she reports that her father wanted them to get a good education should they ever be on their own

9. Reports taht she has sister married to a minister and one of her nephews is a deacon

10. Does not remeber ever being punished much, says they were not very "bad" girls

11. Describes upbringing as good

12. Reports that she transferred to Woodward HS around the 10 or 11 grade and that is where she met her first husband, she also did not finish HS

a. reports that she did not graduate, however she did finish with a vocational school

13. Children: Beverly is from first husband; Jackie and Robin were form the same father, a man she lived with prior to Lee Sr., he relocated, however she wanted to stay in Cinci, she reports taht this relationship was good. Her first husband went into the military and they did not seem to be ready to be married, she reports it was an amicable breakup.

14. Reports she began work at General Motors in 1965, she worked there for 22

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years as a secretary, took early retirement. She then went to Standard Textile for the last seven years as a receptionist

15. When Lee was born she took 8 months off work, she felt that she had to get back to work because she had three daughters to support and she wanted nice things for her children (reports that she did not feel that Lee Sr. should be required to help with the girls because they weren't his)

16. G was 40 when she had Lee

17. She had thought about breaking up with Lee Sr. before she found out that she was pregnant - after she found about the pregnancy she wanted to try to work the marriage out

18. G reported that she had wanted to change Lee Sr.

a. described him as a weak man - G says she has no respect for Lee Sr. - Betty lets him run around and do his own thing, provides no limits or structure

19. Reports that Lee Sr. gave Lee everything that he wanted, she feels he did this out of guilt

LEE JR AS A CHILD

1. Lee was a chatterbox

2. Lee always had the hope that his parents would get back together again

3. Lee Sr. was not a father to Lee, he did none of the disciplining, according to G he wanted to be friends more than anything else

4. After the divorce Lee Sr. would assist with \$ for Xmas, school, Easter, B-day - she reports that whatever Lee Sr. did for Lee monetarily she either matched

5. Reports that Lee may have been spoiled, as she always wanted a boy and may have overly paid attention to him

6. G reports that she raised Lee as she herself was raised, the same way

a. kept all of the children close to her

b. always kept an eye on Lee

7. Discipline was a spanking on the behind with a comb or belt sometimes

8. Started school around the age of 4 - Central Baptist

RELIGION IS VERY IMPORTANT TO G

9. Reports that Lee went to a speech therapist, however she reports that she at this time is unsure of the reason

10. Reports that she feels that Lee could do well if he wanted, he never wanted to study

a. says that he did have some problems with math

11. Reports that Lee failed the 4 grade, she feels that this was due mostly to the divorce

12. G could not afford Central, she let Lee know that since he was not putting forth the effort and the cost was so high that she was transferring him to another school

a. G reports that Lee Sr. did not assist with tuition to Central

13. Lee attended Rex Ralph(?) - Mt Healthy - 4 thru 6

14. Lee attended South Jr. High - Mt Healthy - 7 and 8

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15. G reports that around the fifth grade a boy moved into the neighborhood who used to regularly abuse Lee - at school, on the bus and at home - the boy lived behind and two doors down from G

a. G reports that this went on all the way into and through high school

16. Problems began around the age of 16.

17. Around age of 18 Lee would disappear for days at a time

a. drinking, screwing, drugs

18. Lee attempted to steal a car at the age of 17 in Fairfield

19. Lee met Shotandra at the age of 17 - G reports that she felt that she was very good for Lee

20. G reports that black families are very matriarchal - Therefore Lee never did have a very good male role model of masculine strength

a. G wanted Lee to be a very strong male - unlike her x-husband

b. G wanted Lee to be like her father

(SEEMS THAT G MAY HAVE BEEN LOOKING FOR THAT FATHER FIGURE OR THAT MALE TO TAKE CARE OF HER)

21. Lee got a job at Kroger at age 16 - G got him this job

22. Lee seemed to gravitate toward anything that would upset G - this was as he grew up

23. G reports that Lee Sr. would not support her in the care of Lee - she stated that Lee Sr. was of the same ilk as she felt that he was concerned with the women and being accepted in the streets by his friends

24. G reports that Lee was high at times on 40 oz.'s (COLT 45)

25. Mt. Healthy (approx. 16):

a. skipping school, attending for only a half day

b. G did not know his friends

c. Lee never talked back or yelled at her when she was disciplining him

26. Lee always would acknowledge that he had done something wrong - however he would state that he just could not help himself

27. G reported that while she was at work, Lee would have friends over and she felt that they were stealing things from her as there would be things missing when she returned

a. Lee always stuck up for his friends

b. Lee had money - even when he not working - she never knew where he was getting it. She reported that she did not think that it was Lee who was taking things from the house sometimes or selling them.

28. G called Emerson North hospital when Lee was about 17 for help - he not seen because her insurance would not cover it. That is how she got hooked up with Schwartz.

Georgia, Beverly, Jackie

QUESTIONS FROM PREVIOUS VISITS:

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